

REMARKS

In the Office Action dated January 15, 2008, claims 26-46 were examined with the result that claims 26-55 were rejected and claims 45-46 were withdrawn from further consideration by the Examiner. In response, applicant has canceled claims 30, 32, 33 and 38-46, amended claims 26 and 34-37, and added new claims 47-57. In view of the above amendments and following remarks, reconsideration of this application is requested.

In this amended claim set, the first claim, i.e. claim 26, from which all the remaining claims depend, has been limited to refer to a method of separating a ceramic component from a metal-ceramic based composite, the method including the steps of increasing the size of at least the ceramic component within the metal-ceramic based composite by heating the metal-ceramic based composite and then separating of the increased sized ceramic component from the other components of the crushed composite to result in a metal rich fraction.

The Examiner has cited U.S. 4,921,531 against the claims of the present application on the basis of anticipation and obviousness. Applicant respectfully disagrees.

The invention claimed in the amended claim 26 is directed to a separation process for producing a metal rich fraction by separating out the unwanted components within a metal-ceramic based composite by increasing the size of the component to be separated out via heating of the composite and then crushing the composite.

U.S. 4,921,531, on the other hand, is directed to a process for precipitating second phase particles, such as ceramic or inter-metallics within a solvent metal matrix.

The claimed invention of the present application is a process for producing a metal rich fraction. The ceramics are the unwanted component. Further, the process of the present application does not involve the use of a solvent metal matrix and precipitation.

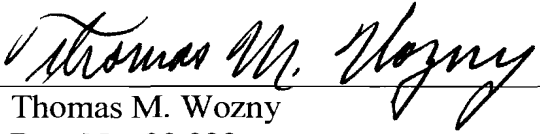
Applicant therefore submits that the invention claimed in amended claim 26 is novel and inventive, and that accordingly all dependent claims are also novel and inventive.

Application No. 10/522,054
Amendment Dated April 9, 2008
Reply to Office Action of January 15, 2008

An effort has been made to place this application in condition for allowance and such action is earnestly requested.

Respectfully submitted,

ANDRUS, SCEALES, STARKE & SAWALL, LLP

By 
Thomas M. Wozny
Reg. No. 28,922

Andrus, Sceales, Starke & Sawall, LLP
100 East Wisconsin Avenue, Suite 1100
Milwaukee, Wisconsin 53202
Telephone: (414) 271-7590
Facsimile: (414) 271-5770